



December 17, 2012

Delta Stewardship Council
Attn: Cindy Messer and all Council Members
980 Ninth Street, Suite 1500
Sacramento, CA 95814
Via email to: cindy.messer@deltacouncil.ca.gov

Re: Request for Extension of Time for all interested parties to comment in writing on Proposed Rulemaking, Delta Plan, and Recirculated Draft Program EIR

Dear Delta Stewardship Council Members:

The California Environmental Water Caucus (EWC) and its member organizations including an request extension of time from January 14, 2013, to at least January 24, 2013 for EWC, its member organizations, and all other interested parties to submit written comments on the proposed rulemaking, Delta Plan, and Recirculated Draft Program EIR.

Reasons for this request include the following:

- A public hearing to take oral comments and testimony is set for January 24, 2013. There is no good faith, rational reason to close the period for written comments 10 days before the public hearing.
- The final draft of the Delta Plan was approved at the September 13, 2012 meeting. The Council could have made these documents available for review earlier. Instead, these documents were issued for public review on November 30, 2012.
- The release date of these documents means that a substantial portion of the 45 day period for public written comment is taken up with both the Christmas and the New Year's holiday periods. Consequently many, no doubt most, persons involved in reviewing your actions have pre-set holiday obligations involving family, friends and travel that preclude them from having the time they would otherwise have available to adequately review and comment upon the Council's actions.
- Sufficient changes to the project now described in the documentation as the "Revised Project" have been made to require recirculation. New volume 3 of the DEIR is over 800 pages long. The Draft Plan, essential to understanding

the DEIR is about 368 pages long. Then there are the proposed Regulations and all of the appendices that must be reviewed and understood. Finally, it is necessary to review volumes 1 and 2 of the EIR to understand interrelationships of the various documents and make sure that no issues are missed. Inundating the public with this volume of material over the traditional holiday period, appears calculated to make it as difficult and unlikely as possible for the public to conduct informed and meaningful review of this critically important process.

For these reasons, we respectfully request that the time period for public written comments on the subject documents be extended for a minimum of 10 days, from January 14, to January 24, 2013, which later date is the date set for the public hearing on the proposed Regulations.

David Nesmith

Nick DiCuro

CO - FACILITATORS